

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JACKLYN ROSE CATALDO,

Plaintiff,

v.

No. 1:25-cv-00287-KK

MONARCH PROPERTIES, INC,
VANESSA PINTO,
LIDIA ASTORGA and
DOES I – XXV,

Defendants.

ORDER REGARDING SERVICE

The statute governing proceedings *in forma pauperis*, 28 U.S.C. § 1915, provides that “officers of the court shall issue and serve all process, and perform all duties in [proceedings *in forma pauperis*]”). 28 U.S.C. § 1915(d). Because Plaintiff is authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915, the Court orders the Clerk of the Court to notify Defendants, at the addresses provided by Plaintiff in her Notice, that an action has been commenced and request that Defendants waive service pursuant to Fed. R. Civ. P. 4(d). *See* Doc. 7, filed April 1, 2025 (granting Plaintiff’s motion to proceed *in forma pauperis*); Notice, Doc. 8, filed April 11, 2025. Because the Court is ordering the Clerk to notify Defendants and request that they waive service, the Court denies Plaintiff’s Motion for an order directing the United States Marshals Service to serve Defendants; Plaintiff may file a second motion for service if Defendants do not timely waive service.

IT IS ORDERED that the Clerk of the Court notify Defendants that an action has been commenced and request that Defendants waive service pursuant to Fed. R. Civ. P. 4(d). The notice shall include a copy of this Order, a waiver of service form, and a copy of Plaintiff’s

Complaint, Doc. 1, filed March 19, 2025. The Clerk shall mail the notice, waiver of service form, a copy of this Order and a copy of the Complaint to Defendants at the following addresses:

Monarch Properties, Inc.
Attn: Jack MacGillivray
Register Agent and Vice President
1720 Louisiana Blvd, NE, Suite 402
Albuquerque, New Mexico 87110

Monarch Properties, Inc.
Attn: Vanessa Pinto
1720 Louisiana Blvd, NE, Suite 402
Albuquerque, New Mexico 87110

Los Altos Lofts
Attn: Lidia Astorga
Los Altos Lofts Monarch Manager
Los Altos Lofts Leasing Office
10330 Hotel Avenue, NE
Albuquerque, New Mexico 87123

If the docket shows that any Defendant did not return the waiver within 45 days after mailing of the notice, waiver form, and copy of the Complaint, then Plaintiff shall file a motion requesting that officers of the Court serve a copy of the summons and Complaint on those Defendants.

IT IS ALSO ORDERED that Plaintiff's Motion for Court Order Directing United States Marshal's Office to Serve Defendants due to the Plaintiff's Indigency Without Prepayment, Doc. 5, filed March 19, 2025, is **DENIED**.



KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE